

found for the petition, he shall have his writ of possession and order of sale accordingly.

#### SEC. 48. *Power of Clerk :*

As soon as all proper parties are made to the proceeding, the Clerk of the Superior Court, before whom it is instituted, if the allegations in the petition are not denied or controverted, shall have power to hear the same summarily, and to decree a sale, as provided in the next section.

Power of Clerk.

#### SEC. 49. *Order of sale, what to contain :*

The Court may decree a sale of the whole or any specified parcel of the premises, in such a manner as to size of lots, place of sale, terms of credit, and security for payment of purchase money, as may be most advantages to the estate, and upon the coming in of the report of the sale and the confirmation thereof, title shall be made by such person, and at such time as the Court may prescribe.

Order of sale,  
what to contain.

#### SEC. 50. *Notice of sale :*

Notice of sale under this proceeding shall be the same as for the sale of real estate by Sheriffs on execution.

Notice of sale.

#### SEC. 51. *What Real Estate subject to be sold :*

The real estate subject to a sale, under this chapter, shall include all the deceased may have conveyed with intent to defraud his creditors, and all rights of entry and rights of action and all other rights and interests in lands, tenements and heraditaments which he may devise, or by law would descend to his heirs: *Provided*, That lands so fraudulently conveyed shall not be taken from any one who purchased them for a valuable consideration and without a knowledge of the fraud.

What real estate  
subject to be sold.

Proviso.

#### SEC. 52. *Judgment in case of fraudulent conveyance :*

Whenever an executor, administrator or collector shall file his petition to sell land, which may have been fraudu-

Judgment in case  
of fraudulent con-  
veyance.